

## STAFF REPORT

TO: Mayor and City Council

DATE: August 5, 2009

From: Roderick Simmons, Director  
Parks, Recreation & Cultural Art

VIA: Gary Jackson, City Manager

SUBJECT: Capping Park Facility Rental Fee Adjustment Requests

Summary: Consideration of a recommendation to cap facility rental fee waivers.

Review: Staff has completed a review of best practices for facility rental fee waivers. Attached is the completed summary of best practices of cities for granting facility fee waivers. As with any city policy of this magnitude it comes down to the community value and the level of expected governmental services.

Staff contacted eleven parks and recreation departments across the state with different community make-ups to get a feel for their community tolerance level for granting fee waiver requests. Reviewing the results indicates there is no straight forward best practice for handling fee waiver requests. The only constant theme is departments that allow facility fees to be waived have many different options for approving the request. The only other common theme is there is not a cap on the amount of fee waiver before it requires city council approval.

My recommendations are as follows:

- Structure the facility rental fee waiver process similar to the city's outdoor special event co-sponsorship process, in that a maximum dollar value is established each budget year to award to organizations that meet the criteria for fee waivers. Once this dollar threshold is met during the budget year no more fee waivers will be granted. I recommend allocating a \$3,000 cap for the first year. The annual cap amount will be considered during the city's annual fees and charges approval process.
- The maximum amount of fee waiver that can be granted per request is \$500. The cap on the maximum amount per request would insure that all organizations granted a fee waiver receive the same amount of value from the city.
- Specialized facilities and enterprise funds will not be considerate for rental fee waivers. These facilities are the following: Municipal Golf Course, Nature Center, Aston Tennis Center, Food Lion Skate Park.
- Events that request assistants above this threshold will be encouraged to apply through the city's annual co-sponsorship process.

Pros:

- To ensure all organizations granted a rental fee waiver receive the same amount of value from the city.

Cons:

- Potentially could reduce the annual revenue budget for facility rentals by \$3,000 per year.

Recommendation: Staff recommends that Council adopt the Finance Committee recommendations regarding request for a facility rental fee waiver for use of Park facilities.

Attachment

- 1) Summary of best practices of cities for granting facility fee waivers
- 2) Facility Rental Fee Adjustment Policy

## **Benchmarking Cities Best Practices for Granting Facility Fee Waivers**

The following departments were surveyed to determine if they had a policy in place for granting facility rental fee waivers and if so, who had the authority to grant the waiver.

**Greensboro-** No, Does not allow waivers. Special consideration given for council member's request.

**Hickory-** No, Does not allow waivers.

**Winston-Salem-** No, Does not allow fees for facility to be waived. Does limited co-sponsorships for programs. If the group meets certain criteria then the Recreation Director can approve. Does not go to council. There is no cap on waivers for co-sponsorship.

**Salisbury-** No, Does not allow fees for facility to be waived. Discontinued the practice 10 years ago because of demand from groups wanting a waiver. Does not offer co-sponsorships for programs.

**Chapel Hill -** No, Does not allow waivers.

**Raleigh –** Yes, allows waivers. The group has to meet criteria standards and then the Recreation Director has to approve. Does not go to council. There is no cap on waivers. Only for current recognized community partners.

**Charlotte/Mecklenburg-** Yes, allows waivers. Only for intergovernmental agencies and school system Monday-Friday during operating hours. Does not go to council. There is no cap on waivers.

**Durham –** Yes, allows waivers. The group has to meet criteria standards and then the Recreation Commission has to approve. Does not go to council. There is no cap on waivers.

**Kannapolis-** Yes, allows waivers. The group has to meet criteria standards and then the Recreation Director has to approve. Does not go to council. There is no cap on waivers. Only during operating hours. Groups have to pay for staff time for waivers grant after hours.

**Goldsboro-** Yes, allows waivers. The group has to meet criteria standards and then the Recreation Director has to approve. Does not go to council. There is no cap on waivers.

**Garner -** Yes, allows waivers. The group has to meet criteria standards and then the Recreation Director/City Manager has to approve. It could possibly go to council depending on the nature of the request. There is no cap on waivers.

**Rocky Mount-** Yes, Special consideration given for council member's request. Outside of council members request the only waivers for facility fees for groups that work through Human Relation department that conduct community outreach events.

**High Point-** Did not respond

**New Bern-** Did not respond



## **City of Asheville Parks, Recreation & Cultural Arts Department Administrative Policy**

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**Subject:** Facility Rental Fee Adjustment Policy

**Effective Date:** February 9, 2009

**Purpose:** It is the intent of the City of Asheville Parks, Recreation & Cultural Arts Department to consider a fee adjustment for organizations that offer a service for the community good and meet specific eligibility requirements as determined by the department.

Asheville City Council establishes fees for goods and services as part of the annual budget process. The authority to adjust a fee is assigned to the Recreation Advisory Board as appointed by City Council. The Board meets the second Monday of each month at 12:30 pm in City Hall, first floor conference room.

The City of Asheville cannot guarantee a rental fee waiver request that meets all criteria will be approved. The ability to approve such request is based upon the level of available resources in the City's annual budget as approved by the Asheville City Council. Allow approximately six weeks in which to process a request for a facility rental fee adjustment.

### Eligible Applicant and Activities

- a. Not-for-profit organization
- b. Organization must reside within the city limits of Asheville
- c. Activity must be open to the general public
- d. Any activity fee charged by the organization must be used to sustain the organization to further the purpose of the organization
- e. Organization gives goods or services to the City of Asheville as a unit of local government that enhances the level of service provided by the City to the residents of Asheville
- f. Activity occurs within the regular operating hours of the facility in which it is located

### Ineligible Applicant and Activities

- a. Individuals (may apply for fee assistance via the scholarship program)
- b. Private, for-profit organization
- c. Partisan political activities

#### Definitions and Guidelines

**a. Organization must be a not-for profit organization**

The organization must be 1) a non-profit organization with a 501 (c) 3 IRS tax exempt status, or 2) a not-for-profit without an IRS tax exempt status 3) Evidence of non-profit or not-for-profit status may be required..

**b. Organization must be located within the Asheville city limits**

The organization's operations and primary service area must be located within the corporate city limits of Asheville.

**c. Activity must be open to the general public**

The activity must be open to the general public with no limitation to who may participate in the activity.

**d. Fee sustains organization operations**

The organization does not make a profit from the fees charged to participate in the activity and use the funds to support the activity or further the purpose of the organization.

**e. Organization provides beneficial goods and services to the City of Asheville**

In return for a fee adjustment, the organization gives back a beneficial goods and/or services at no cost to the City that enhances the City's ability to deliver services to the citizen's of Asheville.

**f. Activity occurs within regular operating hours**

The activity occurs during regular operating hours of the facility at which the activity takes place.

Facility Rental Fee Adjustments approved by the Parks, Recreation Cultrual Arts Advisory Board

<b>Date</b>	<b>Oragnization</b>	<b>Request</b>	<b>Amount</b>
May-07	Frontier Syndicate	Montford Center	\$6,900
May-07	RiverLink	Green Space Pk SQ	\$100
May-07	Asheville Arts Council	Green Space Pk SQ	\$100
Jun-07	Stephens-Lee Class 1957	Stephens-Lee Center	\$500
Feb-08	Physicians for Social Responsbity	Montford Center	\$100
Apr-08	Professional Parenting	Carrier Park	\$100
Jul-08	Asheville Allemanders	Haw Creek Park	\$30
Aug-08	Department of Army	Recreation Park shelter/pool	\$340
Nov-08	Downtown Asociation	Pritcher Park	\$850
Feb-09	Asheville Greenworks	Montford Center	\$700
Mar-09	Dept Juvenile Justice	Stephens-Lee Center	\$450
Jun-09	Harvest Time	W.C. Reid Center`	\$450
Jun-09	DARN-Downtown Residential	Pritchard Park	\$8,725
Jul-09	United Way	Stephens-Lee Center	\$300
Jul-09	Skyview Golf Association	Golf course	\$11,550

# City of Asheville Co-Sponsorship Program

## Cultural Arts Division

### Outdoor Special Event Support

#### **Anchor Events (criteria):**

- Have a significant, positive economic impact on the City
- Have become traditions within the community (in existence over 15 years)
- Are unique in the experience they provide
- High return on investment for the City of Asheville (in-kind support needs vs. audience served)

#### **Anchor Events (examples):**

Downtown After 5  
Holiday Parade  
Asheville Greek Fest  
Drum Circle  
Goombay  
Shindig on the Green

#### **In-Kind Support for Community Festivals & Events (criteria):**

The request for proposal is open to all organizations and individuals who wish to receive in-kind support from the City of Asheville and whose event:

- Is in line with annual goals and visions established by Asheville City Council;
- Is produced by an organization that resides within the city limits of Asheville;
- Will be held in its entirety on City property;
- Is community focused and recreational in nature;
- Will be open to the general public;
- Will use any activity fee charged by the organization to be used to sustain the organization and further the purpose of the organization.

#### **In-Kind Support for Community Festivals & Events (examples):**

Girls on the Run 5K  
Halloween Dog Parade  
Oktoberfest  
Asheville Earth Day  
MLK Parade/Walk  
Asheville Citizen Times Half Marathon  
Rockin' the River Raft Race

#### **Community Event Partner (criteria):**

- organization has a long-standing history in the community
- events have a significant, positive economic impact on the City
- organization has proven ability to facilitate the event successfully
- high return on investment for the City of Asheville (in-kind support needs vs. audience served)
- support/enhance Parks, Recreation & Cultural Arts Department programming goals/objectives

- have successfully partnered with the City of Asheville Parks, Recreation & Cultural Arts Department in the past

**Community Event Partner (examples):**

Montford Park Players  
 Autocross  
 Mountain Sports Festival  
 Friends of the Nature Center  
 Parks & Greenway Foundation  
 Buncombe County  
 City Market  
 Local School Systems  
 UNC-Asheville

## **Recreation Division**

### **Program Partners**

The program partners are able to help the department provide recreation and leisure services that enhances the quality of life for the citizens of Asheville, and reflect the core mission of the recreation division.

These are partners that help meet our community program goals as outlined in the Park, Recreation, Cultural Arts, and Greenway Master Plan. These partners utilizes community centers or athletic facilities for their program delivery

**Community Youth & Adult Leagues & Affiliate Groups (criteria):**

- Must be open to the general public and promoted as such
- Must be recreation or leisure in nature or principle and must be community focused
- Must not discriminate on the base of race, sex, color, creed, sexual orientation, age, political or religious orientation, ethnicity, national origin, economic standing, medical condition or disability, or any other legally protected status
- Can demonstrate they are consistent with city policy and goals
- If working with youth they must have a Youth Protection Policy which includes screening of adult volunteers and policies and procedures for health and safety

### **Community Youth & Adult Leagues - examples**

1. Asheville Youth Sports Program (AYSP) - Football
2. West Asheville Little League - Baseball
3. Asheville Hockey League - hockey for youth
4. Asheville Ultimate League - ultimate for youth and adults
5. South Asheville Little League
6. WNC Disc Golf Assoc.
7. Asheville Rugby Club
8. Asheville Lacrosse Club



**Affiliate Groups** - examples

1. Community Neighborhood Groups
2. Skyland Twirlers (dance)
3. Bridge Club - weekly activity - adult
4. Girl Scout troop - monthly meeting - youth Circle 8
5. Square Dance - twice monthly activity -
6. Adult Badminton Club - weekly activity -
7. Adult Table Tennis Assoc - monthly activity -
8. All ages Evergreen Charter School - monthly activity group - y
9. Youth Home school Assoc - monthly activity -
10. Youth Italian Club - monthly activity -
11. Adult Scottish Country Dancers - weekly activity - adult